

s.21(1)(a)

s.23

s.21(1)(b)



s.21(1)(a)

s.21(1)(b)

s.23

SECRET

BILL S-206

An Act to amend the Criminal Code (protection of children against standard child-rearing violence)
Senator Hervieux-Payette (Liberal)

Factual Summary of the Bill or Motion:

Bill S-206 proposes the repeal of s. 43 of the *Criminal Code*, to be proclaimed into force one year after the day on which it receives Royal Assent or on any earlier day that may be fixed by order of the Governor in Council.

Brief Assessment:

Section 43 provides a defence to a parent, teacher or person acting in the place of a parent against a charge of assault when they can show that the physical force they used to correct a child under their care was reasonable in the circumstances.

Assault is broadly defined in Canadian criminal law as any non-consensual use of force against another person no matter how slight, including threats. Without s. 43, parents who restrain their child or apply minor corrective force in the course of responsible parenting, for example, physically holding a struggling child and putting on their coat or sitting them in a car seat, could risk being convicted of assault.

Question Period Note**REPEAL OF SECTION 43 OF THE CRIMINAL CODE
(SENATE PUBLIC BILL S-206)****ISSUE:**

Bill S-206 was introduced by the Honourable Céline Hervieux-Payette (Liberal) on December 8, 2015. It proposes the repeal of section 43 of the *Criminal Code* (correction of child by force). The Truth and Reconciliation Commission of Canada's Final Report recommended the repeal of section 43 among its 94 Calls to Action.

PROPOSED RESPONSE:

- The safety and security of children is clearly a priority for the Government of Canada.
- Section 43 of the *Criminal Code* provides protection for parents and others from criminal liability and flows from the parental duty to protect and educate children. It is a defence to any non-consensual application of force to a child.
- In 2004, the Supreme Court of Canada upheld the constitutionality of section 43 on the basis that it reflects a reasonable balance of the interests of children, parents and Canadian society. The Court also provided guidelines that significantly narrowed the application of the section to minor corrective force.
- The Government of Canada continues to advocate against the use of physical force to correct a child and actively supports parenting education programming that discourages the physical discipline of children.

If asked about the recommendation to repeal section 43 in the Truth and Reconciliation Commission's Report:

- The Government of Canada is committed to a renewed nation-to-nation relationship with Indigenous Peoples based on recognition, rights, respect, co-operation and partnership.
- The Government of Canada will be entering into discussions with leaders of First Nations, Métis Nation, Inuit, provinces and territories, parties to the Indian Residential School Settlement Agreement, and other

key partners, to design an engagement strategy for developing a national reconciliation framework, informed by the Calls to Action in the Truth and Reconciliation Commission's Final Report.

BACKGROUND:

Section 43 of the *Criminal Code* provides a defence for a parent, teacher or person acting in place of a parent who uses minor physical force to correct a child that is under his or her care provided that the force used is reasonable in all of the circumstances. It is a defence to a criminal charge of assault and an exception to the rule that any non-consensual application of force (including touching) to another person is an assault. Its origins flow from the parental duty to maintain, protect and educate children. Without section 43, parents who physically put a struggling child into their coat, carry a child to their bedroom for a "time-out", or lightly spank a child, could risk being charged and convicted of assault. Teachers who restrain an enraged child who is a danger to self or others would also find themselves in the same situation.

Bill S-206

Bill S-206 was introduced by the Honourable Céline Hervieux-Payette (Liberal) on December 8, 2015. It proposes the repeal of section 43 of the *Criminal Code* (correction of child by force), to be proclaimed into force one year after the day on which it receives Royal Assent or on any earlier day that may be fixed by order of the Governor in Council. Bill S-206 is the eighth bill that Senator Hervieux-Payette has tabled with respect to section 43. The Bill is at Second Reading Debate in the Senate and could be debated at any time.

Truth and Reconciliation Commission's Calls to Action

Call to Action #6 of the Truth and Reconciliation Commission's Final Report calls upon the Government of Canada to repeal section 43. In the Speech from the Throne, the Government committed to "work cooperatively to implement recommendations of the Truth and Reconciliation Commission of Canada" and at the tabling of the Final Report, committed to "fully implement the Calls to Action of the Truth and Reconciliation Commission".

Government of Canada Initiatives

The Government of Canada continues to support parenting education programs that promote the non-physical discipline of children and alternative disciplinary choices. For instance, the Department of Justice released a public legal education and information pamphlet entitled *Child Abuse is Wrong: What*

Can I Do?, which explains the laws in Canada and encourages non-physical discipline. In addition, the Public Health Agency of Canada and the Department of Justice recently updated an online brochure called What's Wrong with Spanking?, which provides parents and caregivers with useful tips on effective forms of discipline of children by focusing on positive parenting tips.

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Approved by:
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Advice to the Minister

**Senate Public Bill S-206, An Act to Amend the Criminal Code
(protection of children against standard child-rearing violence)**

TOPIC: The repeal of section 43 of the *Criminal Code* (correction of child by force).

CONTEXT: The Honourable Senator Céline Hervieux-Payette (Liberal) introduced this Bill on December 8, 2015. The Truth and Reconciliation Commission of Canada's Report recommended the repeal of section 43 among its 94 Calls to Action.

PROPOSED RESPONSE:

- **The safety and security of children is clearly a priority for the Government of Canada.**
- **Section 43 of the *Criminal Code* provides protection for parents and others from criminal liability from any non-consensual application of reasonable force to a child.**
- **In 2004, the Supreme Court of Canada upheld the constitutionality of section 43 on the basis that it reflects a reasonable balance of the interests of children, parents, and Canadian society. The Court also provided guidelines that significantly narrowed the application of the section to minor corrective force.**
- **The Government of Canada continues to advocate against the use of physical force to correct a child and actively supports parenting education programming that discourages the physical discipline of children.**

If asked about the recommendation in the TRC report:

- **The Government of Canada is committed to a renewed nation-to-nation relationship with Indigenous Peoples based on recognition, rights, respect, co-operation, and partnership.**
- **We will be entering into discussions with leaders of First Nations, Métis Nation, Inuit, provinces and territories, parties to the Indian Residential School Settlement Agreement, and other key partners, to design an engagement strategy for developing a national reconciliation framework, informed by the Calls to Action in the TRC's Final Report.**

BACKGROUND:

Section 43 of the *Criminal Code* provides a defence for a parent, teacher, or person acting in place of a parent who uses minor physical force to correct a child that is under their care provided that the force used is reasonable in all of the circumstances. Assault is very broadly defined in Canadian criminal law as any non-consensual use of force against another person no matter how slight, including threats. Without section 43, parents who physically put a struggling child into their coat, carry a child to their bedroom for a "time-out," or lightly spank a child, could risk being charged and convicted of assault. Teachers who restrain an enraged child who is a danger to self or others would also find themselves in the same situation.

Bill S-206

Bill S-206 was introduced by Senator Hervieux-Payette on December 8, 2015. It proposes the repeal of section 43, to be proclaimed into force one year after the day on which it receives Royal Assent or on any earlier day that may be fixed by order of the Governor in Council. Bill S-206 is the eighth bill that the Senator has tabled with respect to section 43. The Bill is at Second Reading debate in the Senate and could be debated at any time.

TRC's Calls to Action

Call to Action #6 of the TRC Final Report calls upon the Government of Canada to repeal section 43. In the Speech from the Throne, the Government committed to "work co-operatively to implement recommendations of the Truth and Reconciliation Commission of Canada" and at the tabling of the TRC Final Report, committed to "fully implement the Calls to Action of the Truth and Reconciliation Commission".

s.21(1)(a)

s.21(1)(b)

s.23



Government of Canada initiatives

The Government of Canada continues to support parenting education programs that promote the non-physical discipline of children and alternative disciplinary choices. For instance, the Department of Justice recently released a public legal education and information pamphlet entitled *Child Abuse is Wrong: What Can I Do?*, which explains the laws in Canada and encourages non-physical discipline. In addition, the Public Health Agency of Canada and the Department of Justice recently updated an online brochure called *What's Wrong with Spanking?*, made available at <http://healthycanadians.gc.ca/publications/healthy-living-vie-saine/spanking-2015-fessee/index-eng.php>, which provides parents and caregivers with useful tips on effective forms of discipline of children by focusing on positive parenting skills.

Prepared by: Kim Conboy
Date: May 2, 2016

Approved by: Elissa Lieff
Date: May 2, 2016

QUESTION PERIOD NOTE

Date:
Classification:
CCM#:

2016-03-07
PROTECTED B
2016-004304

Question Period Note

REPEAL OF SECTION 43 OF THE CRIMINAL CODE

ISSUE:

Bill S-206 was introduced by the Honourable Céline Hervieux-Payette (Liberal) on December 8, 2015. It proposes the repeal of section 43 of the *Criminal Code* (correction of child by force), to be proclaimed into force one year after the day on which it receives Royal Assent or on any earlier day that may be fixed by order of the Governor in Council.

PROPOSED RESPONSE:

- **The safety and security of children is clearly a priority for the Government of Canada.**
- **We will continue to support parenting education programs that promote the non-physical discipline of children and alternative disciplinary choices.**
- **In terms of the TRC Recommendations, the Government of Canada will be entering into discussions with leaders of First Nations, Métis Nation, Inuit, provinces and territories, parties to the Indian Residential School Settlement Agreement, and other key partners, to design an engagement strategy for developing a national reconciliation framework.**

BACKGROUND:

Section 43 of the *Criminal Code* provides a defence for a parent, teacher or person acting in place of a parent who uses minor physical force to correct a child that is under his or her care provided that the force used is reasonable in all of the circumstances. It is a defence to a criminal charge of assault and an exception to the rule that any non-consensual application of force (including touching) to another person is an assault. Its origins flow from the parental duty to maintain, protect and educate children. Without s. 43, parents who physically put a struggling child into their coat, carry a child to their bedroom for a "time-out", or lightly spank a child, risk being found to have applied non-consensual force and could be convicted of assault.

Bill S-206

Bill S-206 was introduced by the Honourable Céline Hervieux-Payette (Liberal) on December 8, 2015. It proposes the repeal of section 43 of the *Criminal Code* (correction of child by force), to be proclaimed into force one year after the day on which it receives Royal Assent or on any earlier day that may be fixed by order of the Governor in Council. Bill S-206 is the eighth bill that Senator Hervieux-Payette has tabled with respect to section 43.

CONTACTS:

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Approved by:
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Advice to the Minister

**Senate Public Bill S-206, An Act to Amend the Criminal Code
(protection of children against standard child-rearing violence)**

TOPIC: The repeal of section 43 of the *Criminal Code* (correction of child by force).

CONTEXT: The Honourable Senator Céline Hervieux-Payette (Liberal) introduced this Bill on December 8, 2015. The Truth and Reconciliation Commission of Canada's Report recommended the repeal of section 43 among its 94 Calls to Action.

PROPOSED RESPONSE:

- **The safety and security of children is clearly a priority for the Government of Canada.**
- **Section 43 of the *Criminal Code* provides protection for parents and others from criminal liability from any non-consensual application of reasonable force to a child.**
- **Without this section, parents who physically hold on to a struggling child to put on their coat, or carry a child to their bedroom for a "time-out," could risk being convicted of assault for applying non-consensual force.**
- **In 2004, the Supreme Court of Canada upheld the constitutionality of section 43 on the basis that it reflects a reasonable balance of the interests of children, parents, and Canadian society. The Court also provided guidelines that significantly narrowed the application of the section to minor corrective force.**

If asked about the recommendation in the TRC report:

- **The Government of Canada will be entering into discussions with leaders of First Nations, Métis Nation, Inuit, provinces and territories, parties to the Indian Residential School Settlement Agreement, and other key partners, to design an engagement strategy for developing a national reconciliation framework, informed by the TRC's recommendations.**

BACKGROUND:

Section 43 of the *Criminal Code* provides a defence for a parent, teacher, or person acting in place of a parent who uses minor physical force to correct a child that is under their care provided that the force used is reasonable in all of the circumstances. Assault is very broadly defined in Canadian criminal law as any non-consensual use of force against another person no matter how slight, including threats. Without section 43, parents who physically put a struggling child into their coat, carry a child to their bedroom for a "time-out," or lightly spank a child, could risk being charged and convicted of assault. Teachers who restrain an enraged child who is a danger to self or others would also find themselves in the same situation.

Bill S-206

Bill S-206 was introduced by Senator Hervieux-Payette on December 8, 2015. It proposes the repeal of section 43, to be proclaimed into force one year after the day on which it receives Royal Assent or on any earlier day that may be fixed by order of the Governor in Council. Bill S-206 is the eighth bill that the Senator has tabled with respect to section 43. The Bill is at Second Reading debate in the Senate and could be debated at any time.

TRC's Calls to Action

One of the TRC Report's Calls to Action is to repeal section 43. In the Speech from the Throne, the Government undertook to "work co-operatively to implement recommendations of the Truth and Reconciliation Commission of Canada."

s.21(1)(a)

s.21(1)(b)

s.23



Government of Canada initiatives

The Government of Canada continues to support parenting education programs that promote the non-physical discipline of children and alternative disciplinary choices. For instance, the Department of Justice recently released a public legal education and information pamphlet entitled *Child Abuse is Wrong: What Can I Do?*, which explains the laws in Canada and encourages non-physical discipline.

Prepared by: Kim Conboy
Date: March 1, 2016

Approved by: Donald K. Piragoff
Date: March 1, 2016

Question Period Note

REPEAL OF SECTION 43 OF THE CRIMINAL CODE

ISSUE:

Bill S-206 was introduced by the Honourable Céline Hervieux-Payette (Liberal) on December 8, 2015. It proposes the repeal of section 43 of the *Criminal Code* (correction of child by force), to be proclaimed into force one year after the day on which it receives Royal Assent or on any earlier day that may be fixed by order of the Governor in Council.

PROPOSED RESPONSE:

- The safety and security of children is clearly a priority for the Government of Canada.
- Section 43 of the *Criminal Code* provides protection for parents and others from criminal liability and flows from the parental duty to protect and educate their children. It is a defence to any non-consensual application of force to a child. Without this section, parents who physically hold on to a struggling child to put on their coat, or carry a child to their bedroom for a “time-out” could risk being convicted of assault for applying non-consensual force.
- In 2004, the Supreme Court of Canada upheld the constitutionality of section 43 on the basis that it reflects a reasonable balance of the interests of children, parents and Canadian society. The court also provided guidelines that limit the application of the section to minor corrective force.
- The Government of Canada will continue to support parenting education programs that promote the non-physical discipline of children and alternative disciplinary choices. For instance, the Department of Justice just released a public legal education and information pamphlet entitled *Child Abuse is Wrong: What can I Do?* which explains the laws in Canada and encourages non-physical discipline.

If asked about the recommendation to repeal section 43 in the Truth and Reconciliation Commission's Report:

- The Government of Canada will be entering into discussions with leaders of First Nations, Métis Nation, Inuit, provinces and territories,

parties to the Indian Residential School Settlement Agreement, and other key partners, to design an engagement strategy for developing a national reconciliation framework, informed by the TRC's recommendations.

BACKGROUND:

Section 43 of the *Criminal Code* provides a defence for a parent, teacher or person acting in place of a parent who uses minor physical force to correct a child that is under his or her care provided that the force used is reasonable in all of the circumstances. It is a defence to a criminal charge of assault and an exception to the rule that any non-consensual application of force (including touching) to another person is an assault. Its origins flow from the parental duty to maintain, protect and educate children. Without s. 43, parents who physically put a struggling child into their coat, carry a child to their bedroom for a "time-out", or lightly spank a child, risk being found to have applied non-consensual force and could be convicted of assault.

Bill S-206

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Prepared by: Kim Conboy A/Senior Counsel Family, Children and Youth Section			

Department of Justice
CanadaMinistère de la Justice
Canada

s.21(1)(b)

s.23

NUMERO DU DOSSIER/FILE #:2015-016091
COTE DE SÉCURITÉ/SECURITY CLASSIFICATION: SecretTITRE/TITLE: **Section 43 of the *Criminal Code*****SOMMAIRE EXÉCUTIF/EXECUTIVE SUMMARY**

- On December 8, 2015, Senator Hervieux-Payette (Liberal) introduced Bill S-206, *An Act to amend the Criminal Code (protection of children against standard child-rearing violence)*, in the Senate. The Bill proposes the repeal of section 43 of the *Criminal Code* (correction of a child by force). In addition, the Truth and Reconciliation Commission of Canada included among its 94 calls to action the repeal of section 43.
- [Redacted]
- Assault is very broadly defined in Canadian criminal law to include any non-consensual use of force against another person. Section 43 is a limited statutory defence for a parent, person acting in the place of a parent, or teacher charged with assault, which is available only where reasonable force is used to correct a child's behaviour. [Redacted]
- [Redacted]
- [Redacted]

Soumis par (secteur)/Submitted by (Sector): Policy SectorResponsable dans l'équipe du SM/Lead in the DM Team: Sarah GehRevue dans l'ULM par/Edited in the MLU by: Matt Ignatowicz

Soumis au CM/Submitted to MO: January 29, 2016

s.21(1)(a)



Department of Justice
Canada

Ministère de la Justice
Canada

s.21(1)(b)

s.23

Secret

FOR INFORMATION

2015-016091

MEMORANDUM FOR THE MINISTER

Section 43 of the *Criminal Code*

ISSUE

On December 8, 2015, Senator Hervieux-Payette (Liberal) introduced Bill S-206, *An Act to amend the Criminal Code (protection of children against standard child-rearing violence)*, in the Senate. The Bill proposes the repeal of section 43 of the *Criminal Code* (correction of a child by force). In addition, the Truth and Reconciliation Commission of Canada (TRC) included among its 94 Calls to Action the repeal of section 43.

BACKGROUND

Section 43 of the *Criminal Code* reads as follows: Every schoolteacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances.

Assault is very broadly defined in Canadian criminal law to include any non-consensual use of force against another person, including touching and threats. Section 43 is a limited statutory defence for parents and others charged with assault only where reasonable force is used to correct a child's behaviour. Without s. 43, parents who restrain a child or apply minor corrective force in the course of responsible parenting, for example, physically holding a struggling child and putting on their coat or sitting them in a car seat, could risk being convicted of assault.

**Pages 18 to / à 19
are withheld pursuant to sections
sont retenues en vertu des articles
21(1)(a), 21(1)(b), 23
of the Access to Information Act
de la Loi sur l'accès à l'information**

PREPARED BY

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**Pages 21 to / à 22
are withheld pursuant to section
sont retenues en vertu de l'article**

23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

**Pages 23 to / à 29
are withheld pursuant to sections
sont retenues en vertu des articles
21(1)(a), 21(1)(b), 23

of the Access to Information Act
de la Loi sur l'accès à l'information**

s.14

s.21(1)(b)



Department of Justice
Canada

Ministère de la Justice
Canada

s.21(1)(a)

s.23

CCM#: 2015-008690

Confidential

For Approval

Action by/Deadline: 2015/07/10

MEMORANDUM TO THE DEPUTY MINISTER

TRUTH AND RECONCILIATION COMMISSION OF CANADA RECOMMENDATIONS

(FOR APPROVAL)

SUMMARY

-
-
-
-

• DO YOU APPROVE?

BACKGROUND

On June 2, 2015, the TRC released its interim report which included 94 recommendations for changes, including to policies, programs and relationships, with the goal of repairing the relationship between Aboriginal people and the rest of Canada (Annex C). Many recommendations have implications for the Government of Canada (GOC) and several relate specifically to Justice Canada's mandate.

At this point, the GOC has not made an official response to the TRC summary report and recommendations. The Prime Minister is quoted in the media as saying that he will wait for the final report, expected in the fall, to respond. The Minister of Justice stated in the media on June 4, 2015, that the response will "require a whole-of-government approach." He noted that investments will continue, including through the Aboriginal Justice Strategy.

KEY CONSIDERATIONS



RESOURCE IMPLICATIONS

Many of the recommendations in the TRC report would require a significant investment.

CCM#: 2015-008690

Confidential

COMMUNICATION IMPLICATIONS

s.21(1)(a)

N/A

s.23

RECOMMENDATION



Attachment(s)

Annex A



Annex B



Annex C Truth and Reconciliation Commission of Canada: Calls to Action

Prepared by:

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Date: June 24, 2015

Reviewed by:

Danièle Ménard, Director General and General Counsel, Youth Justice and Strategic Initiatives Section, (613-957-7224)

Date: June 26, 2015

Approved by:

Pamela McCurry, Assistant Deputy Attorney General, Aboriginal Affairs Portfolio, (613-946-6633)

Date: June 30, 2015

 Donald K Piragoff, Senior Assistant Deputy Minister, Policy Sector, (613-957-4730)

Date: June 30, 2015

CCM#: 2015-008690

000032

**Pages 33 to / à 42
are withheld pursuant to sections
sont retenues en vertu des articles**

21(1)(a), 23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

**Pages 43 to / à 54
are withheld pursuant to section
sont retenues en vertu de l'article**

21(1)(a)

**of the Access to Information Act
de la Loi sur l'accès à l'information**



Truth and
Reconciliation
Commission of Canada

Truth and Reconciliation Commission of Canada: Calls to Action

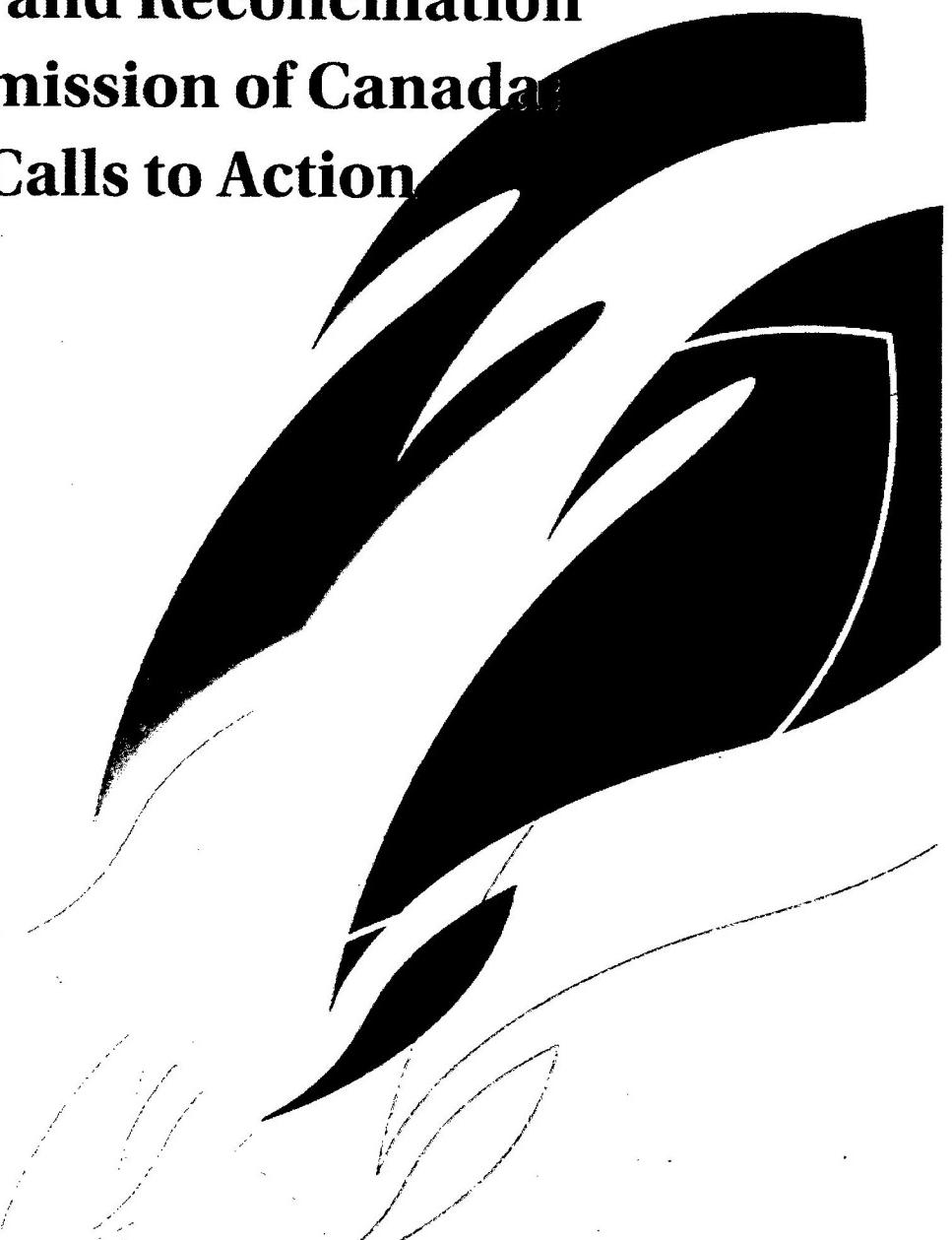




Truth and
Reconciliation
Commission of Canada

Truth and Reconciliation Commission of Canada

Calls to Action



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2015

Truth and Reconciliation Commission of Canada, 2012

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Calls to Action

In order to redress the legacy of residential schools and advance the process of Canadian reconciliation, the Truth and Reconciliation Commission makes the following calls to action.

Legacy

CHILD WELFARE

1. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of Aboriginal children in care by:
 - i. Monitoring and assessing neglect investigations.
 - ii. Providing adequate resources to enable Aboriginal communities and child-welfare organizations to keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside.
 - iii. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the history and impacts of residential schools.
 - iv. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the potential for Aboriginal communities and families to provide more appropriate solutions to family healing.
 - v. Requiring that all child-welfare decision makers consider the impact of the residential school experience on children and their caregivers.
2. We call upon the federal government, in collaboration with the provinces and territories, to prepare and

publish annual reports on the number of Aboriginal children (First Nations, Inuit, and Métis) who are in care, compared with non-Aboriginal children, as well as the reasons for apprehension, the total spending on preventive and care services by child-welfare agencies, and the effectiveness of various interventions.

3. We call upon all levels of government to fully implement Jordan's Principle.
4. We call upon the federal government to enact Aboriginal child-welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases and includes principles that:
 - i. Affirm the right of Aboriginal governments to establish and maintain their own child-welfare agencies.
 - ii. Require all child-welfare agencies and courts to take the residential school legacy into account in their decision making.
 - iii. Establish, as an important priority, a requirement that placements of Aboriginal children into temporary and permanent care be culturally appropriate.
5. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate parenting programs for Aboriginal families.

EDUCATION

6. We call upon the Government of Canada to repeal Section 43 of the *Criminal Code of Canada*.
7. We call upon the federal government to develop with Aboriginal groups a joint strategy to eliminate

2 | Truth and Reconciliation Commission of Canada

- educational and employment gaps between Aboriginal and non-Aboriginal Canadians.
8. We call upon the federal government to eliminate the discrepancy in federal education funding for First Nations children being educated on reserves and those First Nations children being educated off reserves.
9. We call upon the federal government to prepare and publish annual reports comparing funding for the education of First Nations children on and off reserves, as well as educational and income attainments of Aboriginal peoples in Canada compared with non-Aboriginal people.
10. We call on the federal government to draft new Aboriginal education legislation with the full participation and informed consent of Aboriginal peoples. The new legislation would include a commitment to sufficient funding and would incorporate the following principles:
- i. Providing sufficient funding to close identified educational achievement gaps within one generation.
 - ii. Improving education attainment levels and success rates.
 - iii. Developing culturally appropriate curricula.
 - iv. Protecting the right to Aboriginal languages, including the teaching of Aboriginal languages as credit courses.
 - v. Enabling parental and community responsibility, control, and accountability, similar to what parents enjoy in public school systems.
 - vi. Enabling parents to fully participate in the education of their children.
 - vii. Respecting and honouring Treaty relationships.
11. We call upon the federal government to provide adequate funding to end the backlog of First Nations students seeking a post-secondary education.
12. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate early childhood education programs for Aboriginal families.
- LANGUAGE AND CULTURE**
13. We call upon the federal government to acknowledge that Aboriginal rights include Aboriginal language rights.
14. We call upon the federal government to enact an Aboriginal Languages Act that incorporates the following principles:
- i. Aboriginal languages are a fundamental and valued element of Canadian culture and society, and there is an urgency to preserve them.
 - ii. Aboriginal language rights are reinforced by the Treaties.
 - iii. The federal government has a responsibility to provide sufficient funds for Aboriginal-language revitalization and preservation.
 - iv. The preservation, revitalization, and strengthening of Aboriginal languages and cultures are best managed by Aboriginal people and communities.
 - v. Funding for Aboriginal language initiatives must reflect the diversity of Aboriginal languages.
15. We call upon the federal government to appoint, in consultation with Aboriginal groups, an Aboriginal Languages Commissioner. The commissioner should help promote Aboriginal languages and report on the adequacy of federal funding of Aboriginal-languages initiatives.
16. We call upon post-secondary institutions to create university and college degree and diploma programs in Aboriginal languages.
17. We call upon all levels of government to enable residential school Survivors and their families to reclaim names changed by the residential school system by waiving administrative costs for a period of five years for the name-change process and the revision of official identity documents, such as birth certificates, passports, driver's licenses, health cards, status cards, and social insurance numbers.
- HEALTH**
18. We call upon the federal, provincial, territorial, and Aboriginal governments to acknowledge that the current state of Aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools, and to recognize and implement the health-care rights of Aboriginal people as identified in international law, constitutional law, and under the Treaties.
19. We call upon the federal government, in consultation with Aboriginal peoples, to establish measurable goals to identify and close the gaps in health outcomes

Calls to Action | 3

- between Aboriginal and non-Aboriginal communities, and to publish annual progress reports and assess long-term trends. Such efforts would focus on indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services.
20. In order to address the jurisdictional disputes concerning Aboriginal people who do not reside on reserves, we call upon the federal government to recognize, respect, and address the distinct health needs of the Métis, Inuit, and off-reserve Aboriginal peoples.
21. We call upon the federal government to provide sustainable funding for existing and new Aboriginal healing centres to address the physical, mental, emotional, and spiritual harms caused by residential schools, and to ensure that the funding of healing centres in Nunavut and the Northwest Territories is a priority.
22. We call upon those who can effect change within the Canadian health-care system to recognize the value of Aboriginal healing practices and use them in the treatment of Aboriginal patients in collaboration with Aboriginal healers and Elders where requested by Aboriginal patients.
23. We call upon all levels of government to:
- i. Increase the number of Aboriginal professionals working in the health-care field.
 - ii. Ensure the retention of Aboriginal health-care providers in Aboriginal communities.
 - iii. Provide cultural competency training for all health-care professionals.
24. We call upon medical and nursing schools in Canada to require all students to take a course dealing with Aboriginal health issues, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, and Indigenous teachings and practices. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
- JUSTICE**
25. We call upon the federal government to establish a written policy that reaffirms the independence of the Royal Canadian Mounted Police to investigate crimes in which the government has its own interest as a potential or real party in civil litigation.
26. We call upon the federal, provincial, and territorial governments to review and amend their respective statutes of limitations to ensure that they conform to the principle that governments and other entities cannot rely on limitation defences to defend legal actions of historical abuse brought by Aboriginal people.
27. We call upon the Federation of Law Societies of Canada to ensure that lawyers receive appropriate cultural competency training, which includes the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
28. We call upon law schools in Canada to require all law students to take a course in Aboriginal people and the law, which includes the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
29. We call upon the parties and, in particular, the federal government, to work collaboratively with plaintiffs not included in the Indian Residential Schools Settlement Agreement to have disputed legal issues determined expeditiously on an agreed set of facts.
30. We call upon federal, provincial, and territorial governments to commit to eliminating the overrepresentation of Aboriginal people in custody over the next decade, and to issue detailed annual reports that monitor and evaluate progress in doing so.
31. We call upon the federal, provincial, and territorial governments to provide sufficient and stable funding to implement and evaluate community sanctions that will provide realistic alternatives to imprisonment for Aboriginal offenders and respond to the underlying causes of offending.
32. We call upon the federal government to amend the Criminal Code to allow trial judges, upon giving reasons, to depart from mandatory minimum sentences and restrictions on the use of conditional sentences.

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33. We call upon the federal, provincial, and territorial governments to recognize as a high priority the need to address and prevent Fetal Alcohol Spectrum Disorder (FASD), and to develop, in collaboration with Aboriginal people, FASD preventive programs that can be delivered in a culturally appropriate manner.
34. We call upon the governments of Canada, the provinces, and territories to undertake reforms to the criminal justice system to better address the needs of offenders with Fetal Alcohol Spectrum Disorder (FASD), including:
- i. Providing increased community resources and powers for courts to ensure that FASD is properly diagnosed, and that appropriate community supports are in place for those with FASD.
 - ii. Enacting statutory exemptions from mandatory minimum sentences of imprisonment for offenders affected by FASD.
 - iii. Providing community, correctional, and parole resources to maximize the ability of people with FASD to live in the community.
 - iv. Adopting appropriate evaluation mechanisms to measure the effectiveness of such programs and ensure community safety.
35. We call upon the federal government to eliminate barriers to the creation of additional Aboriginal healing lodges within the federal correctional system.
36. We call upon the federal, provincial, and territorial governments to work with Aboriginal communities to provide culturally relevant services to inmates on issues such as substance abuse, family and domestic violence, and overcoming the experience of having been sexually abused.
37. We call upon the federal government to provide more supports for Aboriginal programming in halfway houses and parole services.
38. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to eliminating the overrepresentation of Aboriginal youth in custody over the next decade.
39. We call upon the federal government to develop a national plan to collect and publish data on the criminal victimization of Aboriginal people, including data related to homicide and family violence victimization.
40. We call on all levels of government, in collaboration with Aboriginal people, to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms.
41. We call upon the federal government, in consultation with Aboriginal organizations, to appoint a public inquiry into the causes of, and remedies for, the disproportionate victimization of Aboriginal women and girls. The inquiry's mandate would include:
- i. Investigation into missing and murdered Aboriginal women and girls.
 - ii. Links to the intergenerational legacy of residential schools.
42. We call upon the federal, provincial, and territorial governments to commit to the recognition and implementation of Aboriginal justice systems in a manner consistent with the Treaty and Aboriginal rights of Aboriginal peoples, the *Constitution Act, 1982*, and the *United Nations Declaration on the Rights of Indigenous Peoples*, endorsed by Canada in November 2012.

Reconciliation

CANADIAN GOVERNMENTS AND THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
44. We call upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the *United Nations Declaration on the Rights of Indigenous Peoples*.

ROYAL PROCLAMATION AND COVENANT OF RECONCILIATION

45. We call upon the Government of Canada, on behalf of all Canadians, to jointly develop with Aboriginal peoples a Royal Proclamation of Reconciliation to be issued by the Crown. The proclamation would build on the Royal Proclamation of 1763 and the Treaty of Niagara of 1764, and reaffirm the nation-to-nation relationship between Aboriginal peoples and the Crown. The proclamation would include, but not be limited to, the following commitments:

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- i. Repudiate concepts used to justify European sovereignty over Indigenous lands and peoples such as the Doctrine of Discovery and *terra nullius*.
 - ii. Adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
 - iii. Renew or establish Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.
 - iv. Reconcile Aboriginal and Crown constitutional and legal orders to ensure that Aboriginal peoples are full partners in Confederation, including the recognition and integration of Indigenous laws and legal traditions in negotiation and implementation processes involving Treaties, land claims, and other constructive agreements.
 46. We call upon the parties to the Indian Residential Schools Settlement Agreement to develop and sign a Covenant of Reconciliation that would identify principles for working collaboratively to advance reconciliation in Canadian society, and that would include, but not be limited to:
 - i. Reaffirmation of the parties' commitment to reconciliation.
 - ii. Repudiation of concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius*, and the reformation of laws, governance structures, and policies within their respective institutions that continue to rely on such concepts.
 - iii. Full adoption and implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
 - iv. Support for the renewal or establishment of Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.
 - v. Enabling those excluded from the Settlement Agreement to sign onto the Covenant of Reconciliation.
 - vi. Enabling additional parties to sign onto the Covenant of Reconciliation.
 47. We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and *terra nullius*, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.
- SETTLEMENT AGREEMENT PARTIES AND THE *UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES***
48. We call upon the church parties to the Settlement Agreement, and all other faith groups and interfaith social justice groups in Canada who have not already done so, to formally adopt and comply with the principles, norms, and standards of the *United Nations Declaration on the Rights of Indigenous Peoples* as a framework for reconciliation. This would include, but not be limited to, the following commitments:
 - i. Ensuring that their institutions, policies, programs, and practices comply with the *United Nations Declaration on the Rights of Indigenous Peoples*.
 - ii. Respecting Indigenous peoples' right to self-determination in spiritual matters, including the right to practise, develop, and teach their own spiritual and religious traditions, customs, and ceremonies, consistent with Article 12:1 of the *United Nations Declaration on the Rights of Indigenous Peoples*.
 - iii. Engaging in ongoing public dialogue and actions to support the *United Nations Declaration on the Rights of Indigenous Peoples*.
 - iv. Issuing a statement no later than March 31, 2016, from all religious denominations and faith groups, as to how they will implement the *United Nations Declaration on the Rights of Indigenous Peoples*.
 49. We call upon all religious denominations and faith groups who have not already done so to repudiate concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius*.
- EQUITY FOR ABORIGINAL PEOPLE IN THE LEGAL SYSTEM**
50. In keeping with the *United Nations Declaration on the Rights of Indigenous Peoples*, we call upon the federal government, in collaboration with Aboriginal organizations, to fund the establishment of Indigenous law institutes for the development, use, and

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understanding of Indigenous laws and access to justice in accordance with the unique cultures of Aboriginal peoples in Canada.

51. We call upon the Government of Canada, as an obligation of its fiduciary responsibility, to develop a policy of transparency by publishing legal opinions it develops and upon which it acts or intends to act, in regard to the scope and extent of Aboriginal and Treaty rights.
52. We call upon the Government of Canada, provincial and territorial governments, and the courts to adopt the following legal principles:
 - i. Aboriginal title claims are accepted once the Aboriginal claimant has established occupation over a particular territory at a particular point in time.
 - ii. Once Aboriginal title has been established, the burden of proving any limitation on any rights arising from the existence of that title shifts to the party asserting such a limitation.

NATIONAL COUNCIL FOR RECONCILIATION

53. We call upon the Parliament of Canada, in consultation and collaboration with Aboriginal peoples, to enact legislation to establish a National Council for Reconciliation. The legislation would establish the council as an independent, national, oversight body with membership jointly appointed by the Government of Canada and national Aboriginal organizations, and consisting of Aboriginal and non-Aboriginal members. Its mandate would include, but not be limited to, the following:
 - i. Monitor, evaluate, and report annually to Parliament and the people of Canada on the Government of Canada's post-apology progress on reconciliation to ensure that government accountability for reconciling the relationship between Aboriginal peoples and the Crown is maintained in the coming years.
 - ii. Monitor, evaluate, and report to Parliament and the people of Canada on reconciliation progress across all levels and sectors of Canadian society, including the implementation of the Truth and Reconciliation Commission of Canada's Calls to Action.
 - iii. Develop and implement a multi-year National Action Plan for Reconciliation, which includes research and policy development, public education programs, and resources.

- iv. Promote public dialogue, public/private partnerships, and public initiatives for reconciliation.
54. We call upon the Government of Canada to provide multi-year funding for the National Council for Reconciliation to ensure that it has the financial, human, and technical resources required to conduct its work, including the endowment of a National Reconciliation Trust to advance the cause of reconciliation.
55. We call upon all levels of government to provide annual reports or any current data requested by the National Council for Reconciliation so that it can report on the progress towards reconciliation. The reports or data would include, but not be limited to:
 - i. The number of Aboriginal children—including Métis and Inuit children—in care, compared with non-Aboriginal children, the reasons for apprehension, and the total spending on preventive and care services by child-welfare agencies.
 - ii. Comparative funding for the education of First Nations children on and off reserves.
 - iii. The educational and income attainments of Aboriginal peoples in Canada compared with non-Aboriginal people.
 - iv. Progress on closing the gaps between Aboriginal and non-Aboriginal communities in a number of health indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services.
 - v. Progress on eliminating the overrepresentation of Aboriginal children in youth custody over the next decade.
 - vi. Progress on reducing the rate of criminal victimization of Aboriginal people, including data related to homicide and family violence victimization and other crimes.
 - vii. Progress on reducing the overrepresentation of Aboriginal people in the justice and correctional systems.
56. We call upon the prime minister of Canada to formally respond to the report of the National Council for Reconciliation by issuing an annual "State of Aboriginal Peoples" report, which would outline the government's plans for advancing the cause of reconciliation.

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PROFESSIONAL DEVELOPMENT AND TRAINING FOR PUBLIC SERVANTS

57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

CHURCH APOLOGIES AND RECONCILIATION

58. We call upon the Pope to issue an apology to Survivors, their families, and communities for the Roman Catholic Church's role in the spiritual, cultural, emotional, physical, and sexual abuse of First Nations, Inuit, and Métis children in Catholic-run residential schools. We call for that apology to be similar to the 2010 apology issued to Irish victims of abuse and to occur within one year of the issuing of this Report and to be delivered by the Pope in Canada.

59. We call upon church parties to the Settlement Agreement to develop ongoing education strategies to ensure that their respective congregations learn about their church's role in colonization, the history and legacy of residential schools, and why apologies to former residential school students, their families, and communities were necessary.

60. We call upon leaders of the church parties to the Settlement Agreement and all other faiths, in collaboration with Indigenous spiritual leaders, Survivors, schools of theology, seminaries, and other religious training centres, to develop and teach curriculum for all student clergy, and all clergy and staff who work in Aboriginal communities, on the need to respect Indigenous spirituality in its own right, the history and legacy of residential schools and the roles of the church parties in that system, the history and legacy of religious conflict in Aboriginal families and communities, and the responsibility that churches have to mitigate such conflicts and prevent spiritual violence.

61. We call upon church parties to the Settlement Agreement, in collaboration with Survivors and representatives of Aboriginal organizations, to establish permanent funding to Aboriginal people for:

- i. Community-controlled healing and reconciliation projects.

- ii. Community-controlled culture- and language-revitalization projects.
- iii. Community-controlled education and relationship-building projects.
- iv. Regional dialogues for Indigenous spiritual leaders and youth to discuss Indigenous spirituality, self-determination, and reconciliation.

EDUCATION FOR RECONCILIATION

62. We call upon the federal, provincial, and territorial governments, in consultation and collaboration with Survivors, Aboriginal peoples, and educators, to:

- i. Make age-appropriate curriculum on residential schools, Treaties, and Aboriginal peoples' historical and contemporary contributions to Canada a mandatory education requirement for Kindergarten to Grade Twelve students.
- ii. Provide the necessary funding to post-secondary institutions to educate teachers on how to integrate Indigenous knowledge and teaching methods into classrooms.
- iii. Provide the necessary funding to Aboriginal schools to utilize Indigenous knowledge and teaching methods in classrooms.
- iv. Establish senior-level positions in government at the assistant deputy minister level or higher dedicated to Aboriginal content in education.

63. We call upon the Council of Ministers of Education, Canada to maintain an annual commitment to Aboriginal education issues, including:

- i. Developing and implementing Kindergarten to Grade Twelve curriculum and learning resources on Aboriginal peoples in Canadian history, and the history and legacy of residential schools.
- ii. Sharing information and best practices on teaching curriculum related to residential schools and Aboriginal history.
- iii. Building student capacity for intercultural understanding, empathy, and mutual respect.
- iv. Identifying teacher-training needs relating to the above.

64. We call upon all levels of government that provide public funds to denominational schools to require such schools to provide an education on comparative religious studies, which must include a segment on

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Aboriginal spiritual beliefs and practices developed in collaboration with Aboriginal Elders.

65. We call upon the federal government, through the Social Sciences and Humanities Research Council, and in collaboration with Aboriginal peoples, post-secondary institutions and educators, and the National Centre for Truth and Reconciliation and its partner institutions, to establish a national research program with multi-year funding to advance understanding of reconciliation.

YOUTH PROGRAMS

66. We call upon the federal government to establish multi-year funding for community-based youth organizations to deliver programs on reconciliation, and establish a national network to share information and best practices.

MUSEUMS AND ARCHIVES

67. We call upon the federal government to provide funding to the Canadian Museums Association to undertake, in collaboration with Aboriginal peoples, a national review of museum policies and best practices to determine the level of compliance with the *United Nations Declaration on the Rights of Indigenous Peoples* and to make recommendations.

68. We call upon the federal government, in collaboration with Aboriginal peoples, and the Canadian Museums Association to mark the 150th anniversary of Canadian Confederation in 2017 by establishing a dedicated national funding program for commemoration projects on the theme of reconciliation.

69. We call upon Library and Archives Canada to:

- i. Fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Jointer-Orentlicher Principles*, as related to Aboriginal peoples' inalienable right to know the truth about what happened and why, with regard to human rights violations committed against them in the residential schools.
- ii. Ensure that its record holdings related to residential schools are accessible to the public.
- iii. Commit more resources to its public education materials and programming on residential schools.

70. We call upon the federal government to provide funding to the Canadian Association of Archivists to undertake, in collaboration with Aboriginal peoples, a national review of archival policies and best practices to:

- i. Determine the level of compliance with the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Jointer-Orentlicher Principles*, as related to Aboriginal peoples' inalienable right to know the truth about what happened and why, with regard to human rights violations committed against them in the residential schools.
- ii. Produce a report with recommendations for full implementation of these international mechanisms as a reconciliation framework for Canadian archives.

MISSING CHILDREN AND BURIAL INFORMATION

71. We call upon all chief coroners and provincial vital statistics agencies that have not provided to the Truth and Reconciliation Commission of Canada their records on the deaths of Aboriginal children in the care of residential school authorities to make these documents available to the National Centre for Truth and Reconciliation.

72. We call upon the federal government to allocate sufficient resources to the National Centre for Truth and Reconciliation to allow it to develop and maintain the National Residential School Student Death Register established by the Truth and Reconciliation Commission of Canada.

73. We call upon the federal government to work with churches, Aboriginal communities, and former residential school students to establish and maintain an online registry of residential school cemeteries, including, where possible, plot maps showing the location of deceased residential school children.

74. We call upon the federal government to work with the churches and Aboriginal community leaders to inform the families of children who died at residential schools of the child's burial location, and to respond to families' wishes for appropriate commemoration ceremonies and markers, and reburial in home communities where requested.

75. We call upon the federal government to work with provincial, territorial, and municipal governments, churches, Aboriginal communities, former residential school students, and current landowners to develop and implement strategies and procedures for the ongoing identification, documentation, maintenance, commemoration, and protection of residential school cemeteries or other sites at which residential school children were buried. This is to include the provision of

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- appropriate memorial ceremonies and commemorative markers to honour the deceased children.
76. We call upon the parties engaged in the work of documenting, maintaining, commemorating, and protecting residential school cemeteries to adopt strategies in accordance with the following principles:
- i. The Aboriginal community most affected shall lead the development of such strategies.
 - ii. Information shall be sought from residential school Survivors and other Knowledge Keepers in the development of such strategies.
 - iii. Aboriginal protocols shall be respected before any potentially invasive technical inspection and investigation of a cemetery site.
- NATIONAL CENTRE FOR TRUTH AND RECONCILIATION**
77. We call upon provincial, territorial, municipal, and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the National Centre for Truth and Reconciliation.
78. We call upon the Government of Canada to commit to making a funding contribution of \$10 million over seven years to the National Centre for Truth and Reconciliation, plus an additional amount to assist communities to research and produce histories of their own residential school experience and their involvement in truth, healing, and reconciliation.
- COMMEMORATION**
79. We call upon the federal government, in collaboration with Survivors, Aboriginal organizations, and the arts community, to develop a reconciliation framework for Canadian heritage and commemoration. This would include, but not be limited to:
- i. Amending the Historic Sites and Monuments Act to include First Nations, Inuit, and Métis representation on the Historic Sites and Monuments Board of Canada and its Secretariat.
 - ii. Revising the policies, criteria, and practices of the National Program of Historical Commemoration to integrate Indigenous history, heritage values, and memory practices into Canada's national heritage and history.
- iii. Developing and implementing a national heritage plan and strategy for commemorating residential school sites, the history and legacy of residential schools, and the contributions of Aboriginal peoples to Canada's history.
80. We call upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honour Survivors, their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.
81. We call upon the federal government, in collaboration with Survivors and their organizations, and other parties to the Settlement Agreement, to commission and install a publicly accessible, highly visible, Residential Schools National Monument in the city of Ottawa to honour Survivors and all the children who were lost to their families and communities.
82. We call upon provincial and territorial governments, in collaboration with Survivors and their organizations, and other parties to the Settlement Agreement, to commission and install a publicly accessible, highly visible, Residential Schools Monument in each capital city to honour Survivors and all the children who were lost to their families and communities.
83. We call upon the Canada Council for the Arts to establish, as a funding priority, a strategy for Indigenous and non-Indigenous artists to undertake collaborative projects and produce works that contribute to the reconciliation process.
- MEDIA AND RECONCILIATION**
84. We call upon the federal government to restore and increase funding to the CBC/Radio-Canada, to enable Canada's national public broadcaster to support reconciliation, and be properly reflective of the diverse cultures, languages, and perspectives of Aboriginal peoples, including, but not limited to:
- i. Increasing Aboriginal programming, including Aboriginal-language speakers.
 - ii. Increasing equitable access for Aboriginal peoples to jobs, leadership positions, and professional development opportunities within the organization.
 - iii. Continuing to provide dedicated news coverage and online public information resources on issues of concern to Aboriginal peoples and all Canadians.

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- including the history and legacy of residential schools and the reconciliation process.
85. We call upon the Aboriginal Peoples Television Network, as an independent non-profit broadcaster with programming by, for, and about Aboriginal peoples, to support reconciliation, including but not limited to:
- Continuing to provide leadership in programming and organizational culture that reflects the diverse cultures, languages, and perspectives of Aboriginal peoples.
 - Continuing to develop media initiatives that inform and educate the Canadian public, and connect Aboriginal and non-Aboriginal Canadians.
86. We call upon Canadian journalism programs and media schools to require education for all students on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations.
- ### **SPORTS AND RECONCILIATION**
87. We call upon all levels of government, in collaboration with Aboriginal peoples, sports halls of fame, and other relevant organizations, to provide public education that tells the national story of Aboriginal athletes in history.
88. We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel.
89. We call upon the federal government to amend the Physical Activity and Sport Act to support reconciliation by ensuring that policies to promote physical activity as a fundamental element of health and well-being, reduce barriers to sports participation, increase the pursuit of excellence in sport, and build capacity in the Canadian sport system, are inclusive of Aboriginal peoples.
90. We call upon the federal government to ensure that national sports policies, programs, and initiatives are inclusive of Aboriginal peoples, including, but not limited to, establishing:
- In collaboration with provincial and territorial governments, stable funding for, and access to, community sports programs that reflect the diverse cultures and traditional sporting activities of Aboriginal peoples.
 - An elite athlete development program for Aboriginal athletes.
 - Programs for coaches, trainers, and sports officials that are culturally relevant for Aboriginal peoples.
 - Anti-racism awareness and training programs.
91. We call upon the officials and host countries of international sporting events such as the Olympics, Pan Am, and Commonwealth games to ensure that Indigenous peoples' territorial protocols are respected, and local Indigenous communities are engaged in all aspects of planning and participating in such events.
- ### **BUSINESS AND RECONCILIATION**
92. We call upon the corporate sector in Canada to adopt the *United Nations Declaration on the Rights of Indigenous Peoples* as a reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources. This would include, but not be limited to, the following:
- Commit to meaningful consultation, building respectful relationships, and obtaining the free, prior, and informed consent of Indigenous peoples before proceeding with economic development projects.
 - Ensure that Aboriginal peoples have equitable access to jobs, training, and education opportunities in the corporate sector, and that Aboriginal communities gain long-term sustainable benefits from economic development projects.
 - Provide education for management and staff on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills based training in intercultural competency, conflict resolution, human rights, and anti-racism.
- ### **NEWCOMERS TO CANADA**
93. We call upon the federal government, in collaboration with the national Aboriginal organizations, to revise the information kit for newcomers to Canada and its citizenship test to reflect a more inclusive history of the diverse Aboriginal peoples of Canada, including

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information about the Treaties and the history of residential schools.

94. We call upon the Government of Canada to replace the Oath of Citizenship with the following:

I swear (or affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Queen of Canada, Her Heirs and Successors, and that I will faithfully observe the laws of Canada including Treaties with Indigenous Peoples, and fulfill my duties as a Canadian citizen.

Truth and Reconciliation Commission of Canada

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